

Legislative Fiscal Bureau

Fiscal Note

SF 2101 - Contempt of Court Penalties (LSB 5355 SV)

Analyst: Jennifer Dean (Phone: (515) 281-7846) (Jennifer.Dean@legis.state.ia.us)

Fiscal Note Version - New

Description

This Bill increases monetary fines for any contempt of court penalty in the Supreme Court, the Court of Appeals, and the District Courts, including Magistrate Court and Juvenile Court. Pursuant to Chapter 665, Code of Iowa, there is no distinction between civil and criminal contempt of court.

Assumptions

1. There are no mandatory minimum fines for contempt of court.
2. The law will become effective July 1, 2002. A lag effect of six months is assumed.
3. Based on data from the Justice Data Warehouse, a portion of contempt of court fines will increase.
4. Sufficient information is not available to predict how many increased fines will be imposed at the maximum amount. The estimate assumes the average fine amount will be between the maximum under current law and the proposed maximum in SF 2101 (\$4,800 for District Court and \$200 for Magistrates).

Correctional Impact

Contempt of Court Convictions for calendar year 2001:

- Supreme Court: 1 contempt matter and no fine imposed.
- District Court: 1,303 contempt matters of which 49 fines were imposed.
- Magistrate Court: 996 contempt matters of which 188 fines were imposed.

The Justice Data Warehouse was able to identify contempt per convicting offense, however; fine amounts are reported as a total of all fines imposed in a case. When total fines per case, where at least one fine for contempt of court was imposed, are examined, 6.0% of District Court fines and 47.0% of Magistrate fines were at or above current maximums for contempt of court.

Fiscal Impact

Senate File 2101 would result in increased revenue as follows:

	<u>FY 2003</u>	<u>FY 2004</u>	<u>FY 2007</u>
Revenue:			
General Fund	\$ 2,100	\$ 5,500	\$ 9,600
Victim Compensation Fund	100	200	400
Total	<u>\$ 2,200</u>	<u>\$ 5,700</u>	<u>\$ 10,000</u>
 Total County Revenue	 \$ 25	 \$ 66	 \$ 117

Sources

Department of Human Rights, Criminal Juvenile Justice Planning
Judicial Branch

_____/s/ Dennis C Prouty____

February 11, 2002

The fiscal note and correction impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.